

Assembly Bill No. 701

CHAPTER 848

An act to add Section 263.1 to the Penal Code, relating to sex crimes.

[Approved by Governor September 30, 2016. Filed with
Secretary of State September 30, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 701, Cristina Garcia. Sex crimes: rape.

Existing law defines rape and spousal rape as an act of sexual intercourse accomplished under specified circumstances indicating a lack of consent, force, or duress, as specified. Existing law additionally makes various acts, including sodomy and oral copulation without consent or sexual intercourse with a minor, unlawful as sexual assault.

This bill would state the findings of the Legislature that all forms of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors and would state that this is declarative of existing law.

The people of the State of California do enact as follows:

SECTION 1. Section 263.1 is added to the Penal Code, to read:

263.1. (a) The Legislature finds and declares that all forms of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors.

(b) This section is declarative of existing law.